



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/566,255	01/30/2006	Akito Fukui	L9289,06108	3522
53989	7590	02/02/2010		
Dickinson Wright PLLC James E. Ledbetter, Esq. International Square 1875 Eye Street, N.W., Suite 1200 Washington, DC 20006			EXAMINER ANWAR, MOHAMMAD S	
			ART UNIT 2463	PAPER NUMBER
			MAIL DATE 02/02/2010	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/566,255

**Applicant(s)**

FUKUI, AKITO

**Examiner**

MOHAMMAD ANWAR

**Art Unit**

2463

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 November 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 4 and 7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 4 and 7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

**DETAILED ACTION**

***Response to Arguments***

1. Applicant's arguments filed 11/18/09 have been fully considered but they are not persuasive. Please see response below:

In regards to applicant remarks, A mobile station IP address is not information relating to an internal server. Moreover, Fujino does not disclose communicating this mobile station IP address from a mobile station to an SGSN via a radio network control apparatus; instead, Fujino discloses communicating the IP address directly from a home location register to an SGSN. Thus, it is submitted that Fujino does not disclose the Applicant's claimed subject matter of a radio network control apparatus that transmits information, relating to an internal server access and received from a mobile communication terminal apparatus, to a serving general packet radio service support node. And Koshino is not cited in the Office Action for supplementing the teachings of Fujino in this regard (see column 7 lines 22-35, RNC address being sent to SGSN).

In regards to applicant remarks, A mobile station IP address is not information relating to an internal server. Moreover, Fujino does not disclose communicating this mobile station IP address from a mobile station to an SGSN via a radio network control apparatus; instead, Fujino discloses communicating the IP address directly from a home location register to an SGSN. Thus, it is submitted that Fujino does not disclose the Applicant's claimed subject matter of a radio network control apparatus that transmits information, relating to an internal server access and received from a mobile communication terminal apparatus, to a serving general packet radio service support

node. And Koshino is not cited in the Office Action for supplementing the teachings of Fujino in this regard (see column 7 lines 22-35, RNC address being sent to SGSN).

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 4 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Fujino (U.S. Patent No. 7,319,676 B2).

**For claim 4 and 7**, Fujino discloses a packet communication method in a packet communication system, the packet communication system (see Figure 1) comprising: a user communication apparatus (see Figure 1, RNC(15-18) and MS(19-20)); an operator communication apparatus that performs communications with the user communication apparatus (see Figure 1, HLR(11), GGSN (12) and SGSN (13-14)); and a communication network that performs communications with both the user communication apparatus and the operator communication apparatus, wherein: the user communication apparatus comprises: an internal network; a base station apparatus connected to the internal network (see column 4 lines 64-67); an internal server connected to the internal network (see Figure 1, RNC(15-18), internal

server functionality resides within RNC); a radio network control apparatus connected between the internal network and the operator communication apparatus (see Figure 1, RNC (15-18)); and a mobile communication terminal apparatus that performs communications with the base station apparatus by radio signals, and the operator communication apparatus (see Figure 1, 19-20), MS) comprises:

a serving general packet radio service support node connected to the radio network control apparatus through a relay network (see Figure 1, SGSN 13 and 14); and a gateway general packet radio service support node connected between the serving general packet radio service support node and the communication network (see Figure 1, GGSN 12) , and wherein: the packet communication method comprises: transmitting an active packet data protocol context request from the mobile communication terminal apparatus to the serving general packet radio service support node (see column 8 lines 43-46), setting up a radio access bearer between the serving general packet radio service support node and the mobile communication terminal apparatus (see column 7 lines 22-32), transmitting an activate packet data protocol from the general packet radio service support node to the mobile communication terminal apparatus and establishing a session for packet transfer between the serving general packet radio service support node and the mobile communication terminal apparatus (see column 8 lines 48-52); and

b) in the radio network control apparatus, when the mobile communication terminal apparatus accesses the internal server while the session for packet transfer is established between the serving general packet radio service support node and the

mobile communication terminal apparatus transmitting information that relates to internal server access (see column 7 lines 22-35, RNC address is information related to internal server), and that is transmitted from the mobile communication terminal apparatus, to the serving general packet radio service support node (see column 7 lines 22-35), and transferring packets that are for the internal server and that are transmitted from the mobile communication terminal (see column 6 lines 52-62).

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MOHAMMAD ANWAR whose telephone number is (571)270-5641. The examiner can normally be reached on Monday-Thursday, 9am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derrick W. Ferris can be reached on 571-272-3123. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MOHAMMAD ANWAR  
Examiner  
Art Unit 2463

/M. A./  
Examiner, Art Unit 2463  
/Derrick W Ferris/  
Supervisory Patent Examiner, Art Unit 2463